

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

May 03, 2010

Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Greg Grinch Maria Klemack-McGraw Ted Berry Steve Bennett Melissa Albright

1. Ms. Klemack-McGraw moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Bennett.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

2. President Berry recognized Mr. Honsey, who read a Proclamation for "Poppy Days". He also presented a Proclamation to Chief Wise for Police Week. Together, they presented this year's Police Officer of the Year Award to Eric Scott; Civilian of the Year Award to Erin Price; Lifesaving Awards to Courtney Duncan, Justin Gallo and Kurt Lanham; and the Blue Shield Award to Rick Forney.

Finally, Mr. Honsey introduced Mr. Larry Spencer, SWACO, who showed the new signs for Waste Reduction & recycling and Litter Prevention.

3. The Chair read the agenda items and they were approved by unanimous consent.

The Chair recognized Mr. Bennett, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-22-10 (Amend Ordinance C-03-10 and Replace Exhibit "A" of the Town Center Commercial Revitalization Program) was given its second reading and public hearing.

Mr. Mark Shaw, SW Public Library Director, voiced support from the Trustees for this Ordinance. He shared statistics on the number of residents they serve and the amount of funding that has been cut from the State, which is 95% of their funding. He shared the ways they have cut expenditures because of the cut in State funding. He said they would use the grant to repair their roof and defer their funds to purchasing badly needed books.

Ms. Tracey Cope, Lilly's Kitchen, voiced support as they are in need of interior improvements. They have seen a decrease in business and need to do improvements so they don't lose more business. She said they understand that it is not the city's responsibility to update the inside of businesses, but access to this grant money would help enhance their business and get the property owner to participate in the much needed improvements. She said the City said that retaining the existing businesses is one of their priorities. She said those businesses are the real sellers of the Town Center and she hopes they approve this measure.

Ms. Klemack-McGraw voiced opposition to these changes. She said both of these changes were suggested in the original ordinance and were not supported by the majority of Council at that time. She said none of her constituents have expressed support for the idea of using taxpayer funds to give money to any other taxing authority. If the people of Grove City support the library, they will do so directly by voting for a Levy, not by having City tax money given to the library. As she stated last meeting, she cannot support giving money away through the grants where the result will not benefit the aesthetic environment of the general Town Center. Interior improvements can best be financed by our secure Loan Program, not the use of give-away funds.

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Ms. Albright.

Mr. Berry	No
Mr. Bennett	No
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	No

2. Ordinance C-23-10 (Amend Various Sections of Chapter 161 of the Codified Ordinances titled Employment Provisions for City Employees) was given its second reading and public hearing.

Mr. Honsey, City Admin; explained that these are cleanup measures from the last amendment. Some how, the Urban Forester got deleted; the Police Pension Fund should be listed along with PERS; and some other minor adjustments.

Mr. Bennett commented that he did not support the change in Part-time wages. He believes there should be a range rather than it being set by the Administrator.

There being no additional questions or comments, Mr. Bennett moved that the suggested changes to the pay ranges for the Part-Time positions be removed and no change take place in that section; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

Mr. Bennett moved it be approved; seconded by Ms. Klemack-McGraw.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

3. Ordinance C-30-10 (Authorize the City Administrator to enter into a Jobs Growth Incentive Agreement with Round2, Inc. and declare an emergency) was given its first reading.

Mr. Honsey, City Admin., explained that this is a new business to the City. He asked Mr. Boso, Dir. of Dev. to introduce the two gentlemen from Round 2. Mr. Paul Adamson explained that they do electronic recycling. They currently have a facility in Texas and Ohio was first on their list for

expansion. Grove City is the right city for them. The city is about renewal and regeneration and that is what their company is all about. They are excited and over the next three years they plan to employ over 90 employees.

There being no additional questions or comments, Mr. Bennett moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Ms. Klemack-McGraw.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

Mr. Bennett moved it be approved as an emergency; seconded by Ms. Albright.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

4. Ordinance C-31-10 (Appropriate \$228,243.75 from the General Fund for the Current Expense of Tanglebrook Street Lighting Improvements) was given its first reading. Second reading and public hearing will be held on 5/17/10.

Ordinance C-32-10 (Authorize the Mayor and City Administrator to enter into a Contract with the Fraternal Order of Police, Capital City Lodge #9) was given its first reading. Second reading and public hearing will be held on 5/17/10.

The Chair recognized Ms. Albright, Chairman of Safety, for discussion and voting under said Committee.

1. Ordinance C-24-10 (Amend Various Section of Part 11 of the Codified Ordinances titled Planning and Zoning) was given its second reading and public hearing.

Mrs. Klemack-McGraw voiced major concern over this issue. She said she went to a class earlier in the year in Cleveland. She said among the ways identified as a way for a city to get sued was to have a fee structure where all of the fees could not be clearly identified in advance. She said she is worried that the present Code may lack the needed clarity with the provisions for allowing additional fees in case the estimated cost for inspections are too low; secondly, she believes that the Fee Recovery Program proposed takes this – after the fact additional fee assessment – potential even farther and increases the potential for a legal challenge. If present fees are too low, they should be raised; and a third concern is that the fees are being established by a Fee Recovery Policy rather than by a direct approval of the fees by Council. She believes that fees should be approved by Council, not by approval of a Policy. She asked Mr. Smith to research these concerns and report back before Council votes on this measure.

There being no additional questions or comments, Ms. Albright moved it be postponed to 6/7/10; seconded by Mr. Grinch.

Mr. Bennett	Yes
Ms. Albright	Yes

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

The Chair recognized Mr. Grinch, Chairman of Service, for discussion and voting under said Committee.

1. Ordinance C-25-10 (Authorize the City Administrator to enter into a Cooperative Agreement with the Ohio Water Development Authority for the Planning of the Big Run/Fryer Park Water Storage Tank) was given its second reading and public hearing.

Mr. Honsey, City Administrator, explained that this and the next ordinance deal with the Big Run Water District. The location would be on the southeast side of Fryer Park. Columbus is being asked for 2/5% cost sharing, as this would service part of their city also. This legislation allows us to take advantage of the Ohio Water Development Authority financing package. It will also allow us to take a pump station out of service and improve that service area.

Mr. Bennett said this would also allow for better restroom and water use facilities at the Park.

There being no additional questions or comments, Mr. Grinch moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

2. Ordinance C-26-10 (Authorize the City Administrator to enter into a Cooperative Agreement with the Ohio Water Development Authority for the Planning of the Haughn Road Water Main) was given its second reading and public hearing and Mr. Grinch moved it be approved; seconded by Mr. Bennett.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

The Chair recognized Ms. Klemack-McGraw, Chairman of Lands & Zoning, for discussion and voting under said Committee.

1. Ordinance C-28-10 (Levy Special Assessments for the purpose of Widening, Reconstructing and Improving S.R. 665 between North Meadows Drive & Hoover Road) was given its second reading and public hearing.

Mr. Stephen Smith, Dir. of Law, explained that this is the last step in the process to finalize the assessments.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Mr. Grinch.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

*Editor's Note: Mayor Stage arrived at 7:43 p.m.

2. Ordinance C-29-10 (Authorize the City Administrator to take any and all necessary action to Convey Certain Real Property to G&T Enterprises, LLC dba Sound Communications to finalize the Real Estate Exchange Agreement) was given its second reading and public hearing.

Mr. Smith explained that this is the last step in the Agreement with Sound Communications to transfer the parking area to them. He asked that Section 2 be amended to create an emergency as there is a deadline of next week that must be met.

There being no additional questions or comments, Ms. Klemack-McGraw moved to replace Section 2 with the Emergency Clause; seconded by Ms. Albright.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

Ms. Klemack-McGraw moved that the Rules of Council be suspended and the Waiting Period Waived; seconded by Ms. Albright.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

Ms. Klemack-McGraw moved it be approved as an emergency; seconded by Ms. Albright.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

3. Resolution CR-24-10 (Approve the Sign Request for Guaranteed Heating & Cooling LLC located at 3827 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Benjamin Dunnagan, owner, was present to answer any questions.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Mr. Grinch.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

The Chair asked that any new business to be brought before the attention of Council be done so at this time.

Mr. Chuck Terry, resident of the Condo's at Fountainview, said they have been to Council numerous times about the Shopping Center. He said they are being put off by Continental Real Estate, as they don't want to do anything until they get the whole center built. He said in 2007, Continental agreed to put a three foot (3') mound and evergreen trees on top so there would be a barrier between their residences and the Shopping Center. The headlights shine right into their bedroom and living quarters. He invited the Council Members and Mayor to come out and meet with them and see what is happening. Mr. Berry said he recalled this discussion before and asked Mr. Boso to follow up on this matter. Mayor Stage said he also recalls this and is very familiar with this issue.

2. Mr. Dick Rutherford, resident, expressed thanks for Caucus being removed. He appreciates their efforts.
3. Chief Wise reported on the efforts of The Derby to make positive changes to the bar. He said calls for service have gone down considerably. He recommended that Council withdraw their appeal to their Liquor Permit and said he has the owners guarantee to continue their good services.

Mayor Stage said he is dead set against the kind of situation we have had to endure with this establishment, but if the Police Chief and the Law Director are happy, then he feels it is the right thing to do.

Mr. Berry asked Ms. Kelly how to do this. Ms. Kelly stated that she and the Director of Law believe that Council can make a motion to withdraw that objection and direct a letter being sent to the Liquor Control Board.

Mr. Bennett also voiced his support for this action. He said sometimes a business takes the brunt for patrons of their establishment.

Mr. Berry moved to withdraw the objection to the Liquor Permit for The Derby; seconded by Mr. Bennett.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

4. Mr. Jack Reber, Veteran, said they are attempting to make a bigger and better parade. This year, it will be May 31 with services at Grove City Cemetery at 11:30. A fly-over will also occur and he hopes to have one of the fighters land for observation. He also announced the locations for Poppy Days.

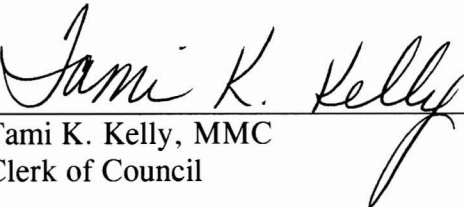
The Chair recognized members of Administration and Council for closing comments.

1. Mayor Stage commented on the Encampment. He announced German Breakfast and Baseball opening day celebrations.
2. Mr. Honsey commented that he was charged with forming alternators to the Lumberyard property. He said EMH&T is working on those options and will share with Council soon. He asked Mr. Mike Boso to share what his Division is doing for Building Week. Mr. Boso, Chief Building and Zoning Official

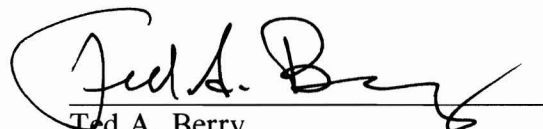
announced that there was a Program Saturday at Home Depot for residents and there is a display in the lobby for resident's to learn some safety tips.

3. Mr. Smith reported on the court case concerning a license for an Adult Family Home. The State pushed this, but the decision was to issue the license. Basically, the decision said it is the City's zoning law to enforce if a license is issued. He also mentioned that they offer training as part of their service. They have one set up for Planning Commission and if Council would also like one just let him know.
4. Mrs. Kelly shared a Liquor Permit request transfer for Beulah Park. It was determined that no hearing is requested.
5. Ms. Conrad provided an update on Parks & Rec. events for May.
6. Ms. Albright asked for a special meeting to hear from the universities on their desire for space in the Town Center or to have them speak under new business at a regular meeting. Mr. Berry asked the City Administrator to check with the universities and see if they want to do this and get back with Ms. Kelly.
7. Ms. Klemack-McGraw read a thank you note from Mrs. Bev Babbert on the naming of the new entrance street after her late husband – Barry.
8. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

ouncil adjourned at 8:29 p.m.



Tami K. Kelly, MMC
Clerk of Council



Ted A. Berry
President